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PART—I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 7th July, 2017

No. SEC/2E-II/2017/2083.— The General Elections of Zila Parishad, Karnal were held in January, 2016 and the results of the elected candidates were declared on 28.01.2016.

2. As per provisions contained in the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996, every candidate contesting election to the post of Member of Zila Parishad shall have to maintain day to day election expenditure account in accordance with the procedure laid down in paras 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format with the Deputy Commissioner-cum-District Election Officer(Panchayat) or any other officer as specified by the Commission. The total of the expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Para 11 of these orders provides that if the State Election Commission is satisfied that a person --

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.

4. The Commission, *vide* its notification No. SEC/2E-II/2015/5782, dated 03.06.2015 prescribed the limit of expenditure of Rs. 2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Member Zila Parishad.

5. As reported by the Deputy Commissioner-cum-District Election Officer, Karnal through his letter No. 633/Panchayat, dated 24.01.2017 the 154 contesting candidates of Zila Parishad, Karnal failed to submit their election expenditure statement within the prescribed time. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the prescribed period. I had given an opportunity of personal hearing to 26 candidates in my office chamber on 05.07.2017 in the interest of justice. Sh. Harinder, Assistant represented the Deputy Commissioner, Karnal.

6. The candidates mentioned below appeared in person and had submitted their submissions explaining the reasons for non submission of their election expenditure statement:-

क्रम सं०	सर्व श्री / श्रीमति	गांव का नाम	वार्ड नं०
1.	दीपक शर्मा	हरिसिंहपुरा	19
2.	महेन्द्रपाल	हरिसिंहपुरा	19
3.	विजय सिंह	मंगलगढ़ी	19
4.	साकर अली	रन्दौली	19
5.	केमपाल गोस्वामी	कोहण्ड	20
6.	टेकचन्द	कैमला	20
7.	बलविन्द्र सिंह	कैमला	20
8.	डॉ० अमृतकौर	पाढ़ा	22
9.	कान्ता देवी	गंगाटेहड़ी	23

During the course of personal hearing, the above mentioned nine candidates had submitted their election expenditure statement. I have gone through the submissions made by them and the facts available on the record. Taking a lenient view, I order to accept election expenditure statement of the above mentioned nine candidates.

7. The following candidates did neither responded to the show cause notice nor appeared before me:-

क्रम सं०	सर्व श्री / श्रीमति	गांव का नाम	वार्ड नं०
1.	मोहित त्यागी	पुण्डरी	19
2.	यतिन्द्र राणा	मंगलगढ़ी	19
3.	सरिता	कलहेड़ी	19
4.	संजय कुमार	कलहेड़ी	19
5.	अमरजीत	कोहण्ड	20
6.	ब्रह्मसिंह	कोहण्ड	20
7.	महेन्द्र सिंह	रायपुर जाटान	20
8.	राजपाल	कैमला	20
9.	राजिन्द्र सिंह	रायपुर जाटान	20
10.	संजीता देवी	डींगर माजरा	20
11.	नौरती देवी	मूनक	21
12.	मीना कुमारी	मूनक	21
13.	सुनिता देवी	गगसीना	21
14.	मीना रानी	पाढ़ा	22
15.	नीलम रानी	बाहरी	23
16.	सुदेश कुमारी	बिलौना	23

Therefore, it can be concluded that the above mentioned sixteen one candidates have nothing to say in the matter. Hence, they deserve to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under Article 243K of the Constitution of India and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling in this behalf hereby order that the twenty one candidates mentioned in para 7 be disqualified for being chosen as, and for being a member of Panchayats i.e. Gram Panchayat, Panchayat Samiti and Zila Parishad **for a period of three years** from the date of this order.

8. The husband of one candidate Smt. Poonam, Ward No. 21 appeared and had told his wife is under treatment in a hospital and requested for next date. Request allowed and another opportunity is given. I order to call her for personal hearing on 28-07-2017.
9. I further direct that a copy of this order be sent to all the candidates mentioned in para 6 and 7 above through Deputy Commissioner-cum-District Election Officer, Karnal.
10. I further direct that a copy of this order be hosted on website of the Commission **www.secharyana.gov.in**.

Panchkula:
The 5th July, 2017.

DR. DALIP SINGH,
State Election Commissioner, Haryana.